

USERS GUIDE TO VOLUNTARY MERGERS

San Luis Obispo County Department of Planning and Building

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WHAT IS A VOLUNTARY MERGER?

A voluntary merger of parcels is one way to legally join contiguous parcels together when a house is constructed over a lot line, or when you want one larger parcel. Through this process, two or more contiguous parcels or units of land which are under common ownership, are merged into one parcel. The only other way to merge parcels requires you to process, receive approval of, and record a tract or parcel map.

DO I NEED ONE?

A voluntary merger can be requested when you wish to have your parcels combined into a larger legal parcel. It can also be used to merge properties where a house has been, or is proposed to be, constructed over a lot line. Without completing a voluntary merger, your house would have to be constructed to meet the setbacks for each small parcel. By completing a voluntary merger you can instead build your house to meet setbacks for the combined large parcel. A voluntary merger is done at your request. There may be other instances when you would want to record a voluntary merger. Please contact the Department of Planning and Building at 781-5600 if you have any questions about your specific circumstance.

WHO APPROVES VOLUNTARY MERGERS?

The Planning Director (or a designee) makes the decision on whether to record a voluntary merger. Within 90 days after receipt of a complete voluntary merger application request and all other necessary information, the Planning Director will record the merger. The proceedings will terminate and no merger can occur if a written request to withdraw the application is received from any owner of an interest in the property to be merged. A request for a voluntary merger can also be terminated if the Planning Director determines that the merger is contrary to the public health, safety and welfare of the county.

The Planning Director's decision may be appealed directly to the Board of Supervisors.

WHAT IS THE EFFECT OF THE MERGER?

The recording of the merger shall constitute a merger of the separate parcels or units of land into one parcel. The merger doesn't have any effect on streets, easements, any dedications or offers of dedication or any other recorded interest.

HOW LONG DOES IT TAKE?

In most cases, the process takes two to six weeks. You can help expedite the review process by making sure that your application is filled out correctly and completely, that all owners have signed the application and merger certificate and that the legal description of the merged parcel is accurate and has been prepared by a registered civil engineer or licensed land surveyor. The Department of Planning and Building is available to answer your questions regarding any application requirement. For more information, call (805) 781-5600.

WHAT DO I NEED TO FILE?

The items to be included are described in detail on the application checklist. They include:

- U Completed Application
- U Property Owners Signature
- U Filing Fees
- U Copies of deeds showing how the parcels were created
- U The merger certificate signed by all owners of the parcels
- U A legal description prepared by a registered civil engineer or licensed land surveyor

This guide is designed to provide general information only. It is not a county ordinance or policy and has no legal effect. The general plan and other chapters of the San Luis Obispo County Code are the official regulations of the county. Those documents, rather than this guide are the only legal basis for assessing how county regulations affect property development.